

EXHIBIT A

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK
4

5 -----x
6 KANWARPREET THIND, on behalf of himself
7 and all others similarly situated,
8 Plaintiffs,

9 vs.

10 HF MANAGEMENT SERVICES, LLC, d/b/a
11 HEALTHFIRST,
12 Defendant.

13 -----x
14 Civil Docket No. 14-cv-09539-LGS
15

16 C O N F I D E N T I A L
17

18 DEPOSITION OF KANWARPREET THIND

19 New York, New York

20 Friday, June 19, 2015
21

22
23
24 Reported by: David Henry

25 JOB NO. 94483

1 THIND - CONFIDENTIAL

2 A. No, I don't remember.

3 Q. So there were a couple of teams
4 in the Queens division?

5 A. Yes.

6 Q. Is there something at Healthfirst
7 known as the interboro division?

8 A. Yes, you're right. There was
9 interboro division also.

10 Q. So were you in the interboro
11 division or were you in the Queens
12 division, or are they the same thing?

13 A. When I was hired I was in Queens
14 division.

15 Q. Did you move to the interboro
16 division at some point?

17 A. Yes.

18 Q. When did that happen?

19 A. I don't remember. I think that
20 was back in 2011, some months of -- after
21 August, I'm not sure.

22 Q. And when you moved from the
23 Queens division to the interboro division,
24 was Usha Rani still your supervisor or did
25 your supervisor change?

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2 A. She was my supervisor.

3 Q. Was she your supervisor the
4 entirety of the time that you worked as a
5 facilitated enroller at Healthfirst?

6 A. Yes.

7 Q. Did there come a point in time
8 when you were promoted?

9 A. Yes.

10 Q. What was your title after you
11 were promoted?

12 A. Manager of sales.

13 Q. After you were promoted were you
14 still part of the interboro team?

15 A. Yes.

16 Q. Who at Healthfirst told you if
17 you remember that the manager position was
18 available?

19 A. Usha Rani and Hannah Gao.

20 Q. Who is Hannah Gao?

21 A. She was my director.

22 Q. And did Usha report directly to
23 Hannah?

24 A. When I was hired she was
25 reporting to Anna Martinez, and when Usha,

1 THIND - CONFIDENTIAL

2 our team was moved to interboro, then our
3 director changed to Hannah Gao.

4 Q. Were you encouraged to apply for
5 the manager position by anyone?

6 MR. VEYTSMAN: Objection.

7 A. The position was available and I
8 checked online and I spoke to Usha Rani,
9 and she encouraged me to apply.

10 Q. Did Usha indicate why she felt
11 that you should apply for the manager
12 position?

13 A. I think she told me if I
14 recollect my memory that I fit the job
15 description.

16 Q. Did you replace Usha Rani as the
17 manager of the team that you were on as a
18 facilitated enroller once you were
19 promoted?

20 A. Yes, I did.

21 Q. And Usha left the company?

22 A. Yes, she resigned.

23 Q. Do you recall why she resigned?

24 A. I think she was moved to a
25 different state.

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2 MR. VEYTSMAN: Objection.

3 A. I'm not good with math.

4 Q. Fair enough. Describe generally
5 your duties and responsibilities as a
6 manager.

7 A. I had a number of employees to
8 supervise.

9 Q. Anything else?

10 A. Check their work, their
11 applications.

12 Q. Roughly how many employees did
13 you supervise?

14 A. It varies time to time, started
15 with I believe eight or nine, I'm not sure,
16 but somewhere around some time 17.

17 Q. So it varied over the time that
18 you were a manager from between eight
19 approximately to 17 approximately?

20 A. Yes.

21 Q. And what were the positions of
22 the employees that you supervised as a
23 manager at Healthfirst?

24 A. Facilitator enrollers and
25 retention specialist.

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2 Q. You supervised both of them?

3 A. Yes. And then Shahita Khan was a
4 retention specialist; Raj Kumar; Harjeet
5 Kaur; there are more. Do you need all of
6 them?

7 Q. No, just the ones that you
8 remember. There's others, but right now
9 that's the list that you recall?

10 A. That's what comes to mind,
11 they're the ones, yes. Also Marzia Rahman.

12 (HF Exhibit 1, HF THIND

13 138262-265, marked for

14 identification.)

15 Do you recognize this document?

16 A. Yes, I do.

17 Q. Okay, what is it?

18 A. This is my resume.

19 Q. And it's a copy of your resume
20 after your promotion to manager?

21 A. It looks like yes.

22 Q. And according to this resume, it
23 says that you were promoted to manager in
24 January of 2012.

25 A. Yes.

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2 Q. And that's accurate. That's when
3 you were promoted to the best of your
4 recollection?

5 A. I was promoted end of January,
6 and it was retro my position, so I believe
7 it's January, yes.

8 Q. You said it was retro your
9 position, what does that mean?

10 A. After my interview I was told
11 it's going to be effective from a few weeks
12 before the payroll period, I'm not
13 understanding the HR policy.

14 Q. So but effectively you were a
15 manager as of January, 2012, the end of
16 January, 2012?

17 A. Yes.

18 Q. If you focus on experience and
19 then it says January 12th to present,
20 Healthfirst NY, position manager,
21 facilitated enrollment, interborough
22 division, do you see that portion of it?

23 A. Yes, I do.

24 Q. And there is a paragraph under
25 that which starts responsible for managing

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2 the day-to-day activities of the
3 facilitator enrollers and retention
4 specialists, CAC for health insurance
5 exchange, while identifying best practices
6 for sales and maintaining the highest
7 standard of quality. Did I read that
8 correctly?

9 A. Yes, you did.

10 Q. Does that description accurately
11 state what you did as a manager at
12 Healthfirst?

13 A. Yes.

14 Q. When you say managing the
15 day-to-day activities of the facilitating
16 enrollers and retention specialists, you
17 mean supervising their day-to-day
18 activities, correct?

19 MR. VEYTSMAN: Objection.

20 A. Yes, like I said before, checking
21 the applications.

22 Q. And then you said while
23 identifying the best practices for sales
24 and maintaining the higher standards of
25 quality. When you say the best practices

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2 question. You said that outside external
3 partners discussed their concerns with you.
4 I want to know which external partners do
5 you remember discussing concerns with, not
6 what anybody else did.

7 A. Let me elaborate more. My
8 department, and I'm working in the field,
9 I'm the face of the company, the eyes and
10 ears. If there is something wrong,
11 obviously they bring it, the fact of the
12 company, it can be facilitator enrollers,
13 it can be me, it can be other departments.

14 Q. So your job was to be the face of
15 the company in the field?

16 A. Yes.

17 Q. So if the hospital where
18 Healthfirst facilitator enrollers worked,
19 if they had issues they were supposed to
20 bring them to you as the face of the
21 company, correct?

22 A. I was one of the persons. They
23 can come to facilitator enrollers, they can
24 come to me, they can come to anybody in the
25 company, yes.

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2 time she was present also.

3 Q. Most of the time she was present
4 as well?

5 A. Sometimes yes, sometimes no, I
6 don't recall.

7 Q. You said you did this according
8 to your resume on a daily and a weekly
9 basis.

10 MR. VEYTSMAN: Objection.

11 A. This coaching is for, like you
12 see, the date here, February 26, '13, and
13 the next coaching is March.

14 Q. That's not what I'm asking.

15 A. It's monthly basis. It's not
16 reflecting what it's saying on my resume.

17 Q. Your resume says that you did
18 coachings and trainings on a daily and a
19 weekly basis. Yes or no, did you do
20 coachings and trainings on a daily and a
21 weekly basis?

22 A. Yes I did, but I can elaborate
23 more. Those could be verbal coachings
24 also.

25 Q. So did you verbal coachings

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2 without filling out a form?

3 A. Observations.

4 Q. Part of your job was to train the
5 people who worked for you?

6 A. Yes, I do.

7 Q. Okay. Moving back to your
8 resume, turning to the second page, it says
9 conduct weekly, biweekly and monthly team
10 meetings including training exercises. I
11 read that right?

12 A. Yes, you read it right.

13 Q. Okay, and you told me before that
14 this was one of your essential duties as a
15 manager at Healthfirst, correct?

16 A. On team meetings?

17 Q. Yes.

18 A. Yes.

19 Q. How long was a typical team
20 meeting?

21 A. It depends. Sometimes one hour,
22 sometimes hour and a half. Usually one
23 hour.

24 Q. You prepared an agenda for some
25 of these meetings?

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2 A. I gave my recommendation, yes.

3 Q. Okay. Was one of your duties as
4 a manager to come up with a business plan?

5 A. Can you elaborate more?

6 Q. Was one of your duties to come up
7 with something called a business plan?

8 A. Could be, yes.

9 Q. Do you recall that being one of
10 your duties?

11 A. Yes.

12 Q. And what did you do to come up
13 with a business plan?

14 A. Like I said, one of the areas to
15 focus in the market, in the networking, to
16 open new sites, where we need some -- the
17 codes to cover. So I do my recommendation.

18 Q. So you gave recommendations to
19 management, correct?

20 A. Yes.

21 Q. Based on your observations in the
22 field?

23 A. Sometimes doctors approach us on
24 the sites, yes.

25 Q. Based on discussions with

1 THIND - CONFIDENTIAL

2 A. Yes.

3 Q. You felt you were very successful
4 at Healthfirst?

5 A. That's what I thought, yes.

6 Q. And part of the reason is because
7 of these three bullet points, correct?

8 A. Yes.

9 Q. Okay, and one of the reasons you
10 felt you were successful at Healthfirst is
11 because you led a successful team for two
12 consecutive years at the time of this
13 document.

14 A. Yes.

15 Q. And one of the reasons you
16 thought that you were successful at
17 Healthfirst was because you actually got a
18 2013 award for outstanding leadership at
19 Healthfirst?

20 A. That's correct.

21 Q. You felt you were a good leader
22 at Healthfirst?

23 MR. VEYTSMAN: Objection.

24 A. Like I said at the beginning,
25 managers were considered as leaders, yes.